CPMG / KA / BG-GPO/13/2003-2005

ವಿಶ್ವಮಾನವ ವರ್ಷ



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ ೧೩೯	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ಆಗಸ್ಟ್ ೧೨, ೨೦೦೪ (ಶ್ರಾವಣ ೨೧, ಶಕ ವರ್ಷ ೧೯೨೬)	ಸಂಚಿಕೆ ೩೩

ಭಾಗ - ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು.

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi-110001
NOTIFICATION
Dated the 16th July, 2004, 24, Asadha, 1926 (Saka)

No 82/KT-HP/29-99-2001:- In pursuance of Section 106 of the Representation of the People Act, 1951, (43 of 1951) the Election Commission hereby publishes the order of the High Court of Karnataka, Bangalore, dated the 5th February, 2004 in Election Petition No. 29 of 1999.

IN THE HIGH COURT OF KARNATAKA, BANGALORE
DATED THIS THE 05TH DAY OF FEBRUARY 2004
BEFORE
THE HON'BLE MR. JUSTICE K. SREEDHAR RAO
ELECTION PETITION NO 29 OF 1999

BETWEEN:

1. Michael B Fernandes S/O J J Fernandes Aged About 65 Years No.5, Myrtle Lane Bangalore - 560 025

----Petitioner

(By Smt. Pramila Nesargi- Sr. Advocate & M/S Geetha Menon & Associates)

And:

1. C K Jaffer Sharief S/o Late C Abdul Kareem Major No 46, Haines Road Bangalore - 560 005
2. L Narayanaswamy S/o Shankarappa Major No 196, 2nd Main Road Keb Colony, Geddalahalli Bangalore - 560 094
3. M Sundaramurthy S/o C Masilamani Major No 29, 12TH CROSS Vyalikaval Bangalore - 560 003
4. K N Parameshappa S/o Narayanappa Major No 10., Thandaya Naralu Street H A Farm Post Hebbal Kempapura Bangalore - 560 024
5. Meer Layaq Hussain S/O M M Hussain Major Dr B R Ambedkar Medical College Mens Hostel, Room No 216, Shampur Road Arabic College Post, K G Halli Bangalore - 560 045
6. The Election Commission Rep By Its Chief Election Commissioner Nirvachan Bhavan New Delhi
7. Shri Mohammed Sanaulla
   Returning Officer And Dy Commissioner No 12, Bangalore North Parliamentary Constituency, Bangalore.
8. Chief Electoral Officer State Of Karnataka Cubbonpark Bangalore - 560 001

----Respondents

(By Sri Venkateshwaran K& H.D.Amarnathan & Madhumitabagchi For R1, Sonnegowda For R-2)

This Election petition filed under section 81 of the Representation of People Act, 1951, by the Petitioner/-candidate at 1999 General Election to the House of People from No.12, Bangalore North Parliamentary Constitutency held on 11.9.1999 Praying to.

(a) Declare that the declaration of result of Respondent No.1 from No.12 Bangalore North Parliamentary Constituency as null and void.

(b) Direct repoll of the No.12, Bangalore North Parliamentary constituency.

(c) Declare that the section 61(A) of the Representation of Peoples Act and consequent rules under Chapter 2 of the conduct of election Rules,1961 as unconstitutional.

(d) Declare that the elections under Electronic Voting Machine held in No.12, Bangalore North Parliamentary Constituency as null and void.

(e) Award costs of the petition to the petitioner. and

(f) Grant such other reliefs as the Hon'ble court deems fit under the facts and circumstances of the case.

This Election Petition coming on for evidence between 22.2.2001 to 19.1.2004 and for arguments from 22.1.2004 to 3.2.2004 and for pronouncement for orders on 5.2.2004, in the presence of Smt. Pramila Nesargi, Senior Counsel and M/s. Geetha Menon and Associates for petitioner and Sri .N.K. Venkateshwar and Sri. H.D. Amarnathan, Advocates for respondent No. 1 and Sri Sonnegowda, Advocate for Respondent No. 2, Respondent Nos. 3 to 5 service completed vide order dated 6.6.2000, Respondent Nos. 6, 7 & 8 are deleted v/o dated 16.6.2000 and that for the reasons stated in the order, it is ordered and decreed that the election petition be and the same is hereby dismissed.

It is further ordered and decreed that there shall be no order as to costs.

Sd/-
Registrar (Judicial)

IN THE HIGH COURT OF KARNATAKA, BANGALORE
DATED THIS THE 05TH DAY OF FEBRUARY 2004
BEFORE
THE HON'BLE MR. JUSTICE K.SREEDHAR RAO
EP NO 29 OF 1999

BETWEEN:

1. Michael B Fernandes S/o J J Fernandes Aged About 65 Years No.5, Myrtle Lane Bangalore - 560 025

----Petitioner

(By Smt. Pramila Nesargi- Sr. Advocate & M/S Geetha Menon & Associates)

AND:

1. C K Jaffer Sharief S/o Late C Abdul Kareem Major No 46, Haines Road Bangalore - 560 005
2. L Narayanaswamy, S/o Shankarappa Major, No 196, 2nd Main Road Keb Colony, Geddalahalli Bangalore - 560 094
3. M Sundaramurthy, S/o C Masilamani Major, No 29, 12th Cross Vyalikaval Bangalore - 560 003
4. K N Parameshappa, S/o Narayanappa Major No 10., Thandaya Naralu Street H A Farm Post Hebbal Kempapura, Bangalore - 560 024
5. Meer Layaq Hussain S/o M M Hussain, Major, Dr B R Ambedkar Medical College Mens Hostel, Room No 216, Shampur Road Arabic College Post, K G Halli, Bangalore - 560 045
6. The Election Commission, Rep By Its Chief Election Commissioner, Nirvachan Bhavan New Delhi
7. Shri Mohammed Sanaulla, Returning Officer And Dy Commissioner, No 12, Bangalore North Parliamentary, Constituency, Bangalore.
8. Chief Electoral Officer, State Of Karnataka, Cubbonpark, Bangalore - 560 001

----Respondents

(By Sri Venkateshwaran K & H.D. Amarnathan & Madhumitabagchi For R-1, Sonnegowda For R-2)

This Election petition filed under section 81 of the Representation of People Act, 1951, by the Petitioner/candidate at 1999 General Election to the House of People from No.12, Bangalore North Parliamentary Constitutency held on 11.9.1999 through his advocates Smt. Pramila Nesargi, Ms. Geetha Menon and S Balaji with a prayer to

(a) Declare that the declaration of result of Respondent No.1 from No.12 Bangalore North Parliamentary Constituency as null and void.

(b) Direct repoll of the No.12, Bangalore North Parliamentary constituency

(c) Declare that the section 61(A) of the Representation of Peoples Act and consequent rules under Chapter 2 of the conduct of election Rules,1961 as unconstitutional

(d) Declare that the elections under Electronic Voting Machine held in No.12, Bangalore North Parliamentary Constituency as null and void.
(e) Award costs of the petition to the petitioner and
(f) Grant such other reliefs as the Hon'ble court deems fit under the facts and circumstances of the case.

This petition coming on for hearing this day, the court made the following:

ORDER

This Election Petition does not only challenge the integrity of the election of the first respondent but also the efficacy and integrity of the electronic voting machine used in the election of Yelahanka Parliamentary Constituency. The petitioner is the unsuccessful contestant at the 13^{th} Loksabha Parliamentary Election held on 6-10-1999. The first respondent is the successful candidate. The respondents 2 to 5 are the other contesting candidates. Respondents 6 to 8 are Election Commission and its Officers. This court deleted respondents 6 to 8 as not necessary parties. The Supreme Court confirmed the order.

2. The gist of the objections raised by the petitioner in the Election Petition, disclose that the amendment to Representation of Peoples Act by incorporating section 61A, and making provision for use of electronic voting machines and the consequent amendment to Rules is bad in law, as it permits arbitrariness and ultra vires the Constitution. An election conducted with the aid of electronic voting machine does not ensure the free and fair polling and counting, in view of the inherent defects in the electronic voting machine. It is also contended that electronic voting machine is vulnerable to tampering. Besides, it is alleged that on account of the inherent errors in the electronic voting machine, there has been no proper counting of the votes.

3. The first respondent has denied the allegations made in the petition. The following issues were framed by my predecessor.

1. Whether the petitioner proves that there has been non-compliance of the provisions of the Constitution, Act, rules or orders made under the Act from the time of polling to counting resulting in materially affecting the result of the election in so far as the first respondent is concerned?
2. Whether S.61 of the Representation of Peoples Act and consequent rules under Chapter 2 of the conduct of Election Rules, 1961 is ultra-vires the constitution?
3. Whether the petitioner proves that elections held to No.12, Bangalore North Parliamentary Constituency by using the Electronic voting machines is null and void?
4. Consequently, whether the petitioner is entitled for a declaration that the result of the 1^{st} respondent electing him from No.12 Bangalore North Parliamentary Constituency is liable to be declared as null and void?
5. Whether the petitioner has made out a case for re-poll?

4. In view of the disputed contentions, an additional issue is framed in the following manner:

Whether the electronic voting machines used in the conduct of the election is vulnerable to mischief or whether the electronic voting machine has in-built safeguards of tamper proof?

5. This case as usual of the civil litigations does not stand out as an exception for expeditious disposal. By the time the evidence is commenced and concluded, the political scenario of the country has undergone a thorough change, threatening a premature dissolution of Loksabha. In view of the changed context, the Counsel for the petitioner submits that factual contentions regarding impropriety and illegality of election canvassed in the petition are given up and confine to challenge only on the legal aspects and feasibility of the use of electronic voting machines in the election process.

6. The Supreme Court in Mohinder Singh Gill V. Chief Election Commissioner, New Delhi (1978)2 SCR 272,(AIR 1978 SC 851) with lucidity has explained the scope and powers of the Election Commission while interpreting article 324 of the Constitution. Primarily the Legislature has to frame Rules regarding the superintendence, control and conduct of elections. Any gray area not covered by the rules, the Election Commission is empowered to regulate with the approval of the Government. The Election Commission cannot conduct itself over riding the provisions of the Act and the Rules.

7. In A.C. Jose V Sivan Pillai and others, AIR 1984 SC 921, for the first time the legitimacy of user of electronic voting machine in an election came in question. The Supreme Court held that in the existing structure of Act and Rules, there is no provision for using electronic voting machine without necessary amendment and such a user was held to be bad in law. The Supreme Court further in para 36 listed out the serious faults in the use of electronic voting machine and found that with such defects it would not be advisable to use the electronic voting machine in the election.

8. Much water has flown under the bridge. There has been a tremendous advancement in the electronic technology. The electronic voting machine used in the election during 1982 is an obsolete model. The Scientist who is one of the co-designer of the electronic voting machine is examined as a court witness and his evidence unflinchingly supports the feasibility of use of electronic voting machines in the election. The defects of the machine pointed out in A.C.Jose's case no longer remain relevant. The present improved version of E.V.M. takes care of all those defects. The amendment to the People Representation Act and Rules is carried out pursuant to the observations of the Supreme Court. Therefore, it is untenable to contend that the amendment of the Act and Rules is ultra vires and bad in law.

9. About the functional efficacy of E.V.M., one of the scientists of the Bharat Electronic Limited(in short B.E.L.), who is the co-designer of the machine is examined as a court witness. The following is the gist of his evidence:

Voting machine has two major units: one is control unit and other is balloting unit. Control unit is handled by the Presiding Officer, who is in-charge of the Polling Booth. The control unit has all the intelligence in-built. The ballot unit is a dummy unit or otherwise called non-intelligence unit. The ballot unit has buttons and a lamp for each candidate arranged in a line. The ballot unit is kept in the polling compartment, 5 meters away from the control unit. The ballot Unit has a cable permanently attached. At the time of polling, the cable is connected to the control unit, when the voter press the button casting the vote to a candidate, the lamp by the side of the button will glow to indicate that the voting done is proper and simultaneously in the control unit a beep sound is heard to a range of 30 ft. The control unit functions in a non-reversible cycle of voting process.

After the publication of the list of the candidates, the Returning Officer sets the number of contesting candidates in the control unit, which functions on a battery specially manufactured and supplied by B.E.L. The effective life of the battery is 48 hours of continuous functioning. In the balloting unit the printed ballot sheet is put behind the transparent screen. The balloting unit is capable of handling the ballot sheet containing 16 contestants and on the whole EVM is designed to handle a maximum of 64 contestants at an election. The balloting unit has got 16 buttons operatable through a panel cut out. After inserting the balloting paper in the ballot unit, the Returning Officer closes the lid and put a seal provided by the election commission in presence of the candidates/their agents. The lid and the flaps once closed and sealed cannot be opened without tampering the seal. The Returning Officer simultaneously will set the control unit to receive the information about the number of candidates contesting in the election. By pressing the last "Cand set" button in the control unit, the number of contesting candidates is recorded. The candidate set compartment of the control unit is closed and sealed in the presence of the candidates/their agents. Thereafter the control unit and the balloting unit are put separately in a carrying cases and are sealed by the Returning Officer in presence of the candidates/agents. The carrying cases containing control unit and balloting Unit are delivered to the Presiding Officers on the previous day to the election and would be carried to the polling booth.

The polling Officer will verify the seals of the carrying cases, take out the control unit and balloting unit, verify the correctness of the seals. An hour before the polling time, mock poll is conducted to verify the functional capacity. The agents/ candidates are asked to press the button in the balloting unit to cast their votes. Later on the "result button" in the micro controller is pressed which display the number of votes polled. After demonstration of the correctness of the function, the 'clear button' is pressed which will erase all the data of the mock poll. After the mock poll, the Presiding Officer will close the result compartment by putting the seal provided by the election commission by which the voting machine is ready for polling.

The voter presents before the Presiding Officer, after verifying the identity, the Presiding Officer will press the 'balloting button' in the control unit and send the voter to the polling cabin. When the voter press the 'balloting button' casting vote to the candidate of his choice, the lamp by the side of the button will glow indicating the correctness of voting. The control unit will give a beep sound to indicate that the vote casted is registered in the control unit. For the next vote to be casted, again it is necessary that the 'balloting button' in the control unit is to be pressed by the Presiding Officer, otherwise, mere pressing of button in the balloting unit by the voter will be of no consequence. For every next vote to be casted, it is necessary that the 'balloting button' in the control unit is to be pressed by the Presiding Officer. After polling time is over 'close button' in the control unit is pressed by the Presiding Officer by which the machine gets locked. Thereafter, the balloting unit is disconnected from the control unit, they are separately packed in the carrying cases and sealed in presence of the agents by the Presiding Officer. Later on they are transported to the counting centers and ballot unit and control unit are kept in a strong

room before they are taken to the counting centers. At the time of counting, seals put by the Presiding Officer to the control unit is verified to ensure that no tampering has taken place. When the 'result button' is pressed, machine will display the number of votes polled against each candidates sequentially.

Control unit has two main devices: one is micro controller and another is memory. Micro controller is one time programmable component. Micro controller once fused with program code and data is unchangeable and irreversible. The memory device is functionally efficient and retain the voting data without the aid of a battery. The micro controller will record and register the voting data by cross checking with the memory for every vote. The programme code is encrypted and stored in the memory. It is not possible to replace the memory device in order to play mischief. If the Memory device is removed, micro controller will detect and declare that the machine is in error state. The memory device and one time programmable micro controller are the pivotal devices of the EVM and they act as tamper proof device for the programme code and poll data.

If a voter damages the button of the balloting unit or for accidental reason the button of the balloting unit gets struck, such errors are indicated in the control unit. In such cases, a spare balloting unit is used. The sound of error message is heard in the control unit like a alert sound, simultaneously the display panel will show letters *"PE"* indicating that balloting unit has gone out of order. If the connecting cable is damaged or cut, letter '*LE*' is displayed in the display panel of the control unit with an alert sound and these are the possible errors that can happen during use of machine during polling. If there is any error in the memory device, the machine is declared dead. The weak battery can also lead to error and the panel display will indicate by six dash marks. The presiding Officer will change the battery and continue polling. The defect in the battery is a rare phenomenon. If the machine is not functioning, there will be no battery consumption.

The Micro controller manufactured with a given programme code is only useful for EVMS made for the elections by the B.E.L. company and cannot be used for any other purpose. The programme code is encrypted by out-source agency in the presence of the responsible official of the BEL and the programme code is a business secret. Out-source agency would keep the encrypted data as utmost secrecy. It is further stated that the encrypted code and data is unchangeable and indelible by anybody, even by the manufacturer. Any attempt to tamper with the encrypted code would only result in damage to the machine. But the micro controller and memory cannot be manipulated by anybody. It is also stated that the EVM is tested to the temperature condition of -20 degree C to + 55 degree C. and electro-magnetic radiation also would not affect the functioning of the machine.

10. The witness categorically states that either by manipulation or by accident there is no possibility of transfer of votes from one candidate to another and the machine designed is fully tamper proof. The witness is cross-examined at length by the counsel for the petitioner and nothing is elicited in the cross-examination from the witnesses about the vulnerability of the machine. The evidence on the other hand fully inspires the confidence of the court that the EVMs are fully tamper proof. There is no possibility of manipulation of mischief at the instance of anyone. The Supreme Court in T.A. Ahammed Kabeer V A.A. Azeez and others, AIR 2003, 2271, has approved the fact that in the present version of EVM used in the 1999 general election, it is possible to get at the disputed impersonated votes by decoding. However, it is not possible to identify the impersonator, that short-coming is well with the manual ballot system also.

11. The evidence further discloses that the EVM has seeming advantage over the traditional manual ballot method. In the manual method, there is possibility of swift rigging at the end of polling time. But when the votes are cast through EVM there has to be necessary minimum time lag between one vote and the next vote. Therefore, when the EVMs are used, the mal-practice of rigging swiftly and quickly at the closing hours of the polling time stands avoided.

12. The EVMs have been put in use in the last general elections and in the last assembly elections in U.P. and other States. The practical wealth of experience has dispelled abundantly the theoretical unfounded apprehensions of the possible misuse. Cost-wise also, use of EVMS is economical. Traditional manual method involves huge cost towards printing charges and counting expenses. The said expenses will almost account to 30-40% of the election expenses. On one time investment by purchasing required EVMs, the cost of general elections to parliament and assembly and by-elections would get largely reduced. The life span of EVM is 15 years.

13. The invention of EVM has an interesting history. According to the evidence of the witness CW.1, the scientists of Bharath Electronics Limited developed electronic voting machine to handle the trade union elections. The election commission grasping the utility and its relevance to the country's general elections approached the B.E.L. for manufacturing a EVM suitable for the general elections. The scientists got involved themselves personally including C.W.1 in the general elections to study the nunances of the pattern and procedures of the elections. After thorough practical experimentation and

research the present version of EVM is designed. This invention is undoubtedly a great achievement in the electronic and computer technology and a national pride. It has come in the evidence of the witness that country's like Singapore, Malasiya and U.S.A. are interacting with BEL for supply of EVMs suitable for their election requirements.

14. For the reasons and discussions made above, Issue No.2 and Additional Issue is answered in Affirmative. Issues No.1 and 2 and 4 pertain to the factual aspects of the election. In view of the imminent premature dissolution of Lokasabha the Counsel has given up those issues. Accordingly, they are answered in Negative and the election petition is dismissed. In the circumstances, no order as to costs.

The Registry is directed to furnish the copy of this judgement to the counsel appearing for the petitioner, to enable to her to submit the same to the election commission.

By Order,

PR-109

TAPAS KUMAR

Secretary, Election Commission of India.

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

NOTIFICATION

Dated the 22nd July, 2004,31 Asadha, 1926 (Saka)

No 82/KT-LA/31-99-2004:- In pursuance of Section 106 of the Representation of the People Act, 1951, (43 of 1951) the Election Commission hereby publishes the order of the High Court of Karnataka, Bangalore, dated the 29th August, 2003 in Election Petition No. 31 of 1999.

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 29th DAY OF AUGUST 2003

BEFORE

THE HON'BLE MR. JUSTICE A.V. SRINIVASA REDDY

ELECTION PETITION No. 31/1999

C/W

W.P.No. 40569/1999 (GM-RES)

BETWEEN:

Shivaji Rao M. Poal, S/o. late M.K. Poal, Aged 32 years, R/o Main Bazar Raod, Sandur Post Bellary Dist. .... Petitioner. (COMMON)

(Smt. Pramila Nesargi, Adv.)

AND:

In E.P.No. 31/1999:

1 M. Y. Ghorpade, S/o Yeshwanthrao Ghorpade, Major, R/o. Shivapur, Sandur-583119, Bellary District.

2 Kurubara Pompanna, S/o. not known to the petitioner, Major, R/o. Byluvaddigeri, Hospet Taluk, Bellary District.

3 G. M. Raghunath, S/o Not known to the petitioner, Major, R/o. Type III/1, South Block, Donimalai, Sandur Taluk.

4 The Returning Officer, 35, Sandur Assembly Constituency and Deputy Secretary, Zilla Panchayat, Bellary.

5 Sri. Heeroji lad, S/o. Shivaram V. Lad, Aged 53 years, R/o. 109A, Palace Road, Sandur. ...... **Respondents.**

(Sri. D. N. Nanjunda Reddy, Adv. for R-1,
Sri. S. Balaji, Adv. for R-5)

In W.P. No. 40569/1999:

1 Returning Officer,No. 35, Sandur Assembly Constituency, Bellary.

2 State Election Commission,Office of the State Election Commission, Cunningham Road, Bangalore. ...... **Respondents.**

(Sri. T. A. Ramachandraiah, HCGP)

Election petition No. 31/1991 is filed under Section 81 of the Representation of People Act, 1951 by the petitioner-candidate at 1999 General Election of the Karnataka Legislative Assembly Constituency No. 35 Sandur Assembly Constituency held on 5.9.1999 praying to declare that the declaration of result of Respondent No. 1 from No. 35 Sandur Assembly Constitution as null and void, and etc.,

W.P. No. 40569/1999 is filed under Articles 226 and 227 of the Constitution of India praying to direct the respondents to forthwith furnish the certified copies of documents pertaining to the elections to the No. 35 Sandur Assembly Constituency Sought for in applications dated 5-11-1999 vide Annexure "A".

This Election Petition along with writ petition coming on for Orders this day, the Court made the following.

ORDER

Learned counsel for the petitioner is absent. No objection is filed on I.A.No. IV filed by the learned counsel for the 1st respondent for striking out Paragraph Nos. 5 to 12 of E.P. and consequently reject the E.P.

2. Since objection is not filed to I.A.No. IV, it is taken that the petitioner has no objection in allowing I.A. No.IV. Accordingly, I.A.No.IV is allowed. Consequently, the Election petition is rejected for the reasons of not disclosing the cause of action. It is ordered accordingly.

3. In view of dismissal of E.P.No. 31/1999, W.P.No. 40569/1999 does not survive for further consideration. Accordingly, the W.P. is also dismissed.

4. Mrs. Pramila Nesargi, learned counsel for the petitioner later appeared and prayed for recalling the above order. Learned counsel is directed to file an application for recalling the order already passed.

By Order,

PR-110

TAPAS KUMAR

Secretary, Election Commission of India.

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi-110 001
NOTIFICATION
Dated the 21ST July, 2004, 30 Asadha, 1926 (Saka)

No 82/KT-LA/22-99-2004:- In pursuance of Section 106 of the Representation of the People Act, 1951, (43 of 1951) the Election Commission hereby publishes the order of the High Court of Karnataka, Bangalore, dated the 12th March, 2004 in Election Petition No. 22 of 1999.

IN THE HIGH COURT OF KARNATAKA AT BANGALORE
DATED THIS ON THE 12TH DAY OF MARCH 2004
BEFORE
THE HON'BLE MR. JUSTICE A.M.FAROOQ
ELECTION PETITION NO.22 OF 1999

BETWEEN:

Dr K Thinagaran, S/o Kamala Kannan, Aged 39 Years, R/o Near Mahindar Vihar, Gowtham Nagar, Extension, Robertsonpet, Kolar Gold Fields, Kolar District, Kolar

. . .Petitioner

(By Smt Pramila Nesargi – Adv.,)

AND:

1. M Backthavachalam, S/o Murugesh, Major, No.1777, 5th Cross Road, Kolar Gold Fields, Kolar District
2. V. Jaya Kumar, S/o Varadaraj, Major, No.184, I Block, Dr Ambedkar Nagar, Oorgaum, Kolar Gold Fields, Kolar District
3. T S Mani, S/o Gangan, Major, No.552, North Gilberts, Marikuppam, Kolar Gold Fields Kolar District
4. Sri S Rajendiran, S/o Seetharaman Major No.40, Rangaiah Compound, 3rd Cross Road, Robertsonpet, Kolar Gold Fields, Kolar District.
5. S Albert Anand, S/o V Selva Nayagam, Major, No.79, C A Block, Marikuppam, Kolar Gold Fields, Kolar District.
6. T Karunanidhi, S/o Tambuswamy, Major, No.23, South Tank Block, Coromandel, Kolar Gold Fields, Kolar District.
7. Smt.D Nirmala, W/o Ananda Kumar, Major, No.258, North Gilberts, Marikuppam, Kolar Gold Fields, Kolar District.
8. E Ravichandran, S/o Ellapan, Major, No.6, New Oriental Line, Coromandel Post, Kolar Gold Fields, Kolar District.
9. M Venkatesh, S/o Manickam, Major, Muthu Compound, 4th Block, Robertsonpet, Kolar Gold Fields, Kolar District.
10. Returning Officer, No 71, Kolar Gold Fields, Assembly Constituency, And Municipal Commissioner, City Municipal Council, Kolar Gold Fields, Robertsonpet, Kolar Dist Deleted-V/O Dated: 28-02-2002

. . .Respondents

(By Sri A K Subbaiah, Adv., For R-1) Sri P S Manjunath, Adv., For R-4 R-2, 3, 5 & 9 Are PLACED EX PARTE R-10 DELETED)

This Election Petition filed under Section 81 of the Representation of People Act, 1951 by the petitioner-candidate at 1999 general Election to the Karnataka Legislative Assembly Constituency No.71, K.G F.(SC)

Assembly Constituency held on 5/9/1999 praying to: (a) declare that the declaration of the result of respondent No.1 from No.71 KGF (SC) Assembly Constituency as null and void and etc.,

This Election Petition coming on for evidence this day, the Court delivered the following:

O R D E R

The learned counsel appearing for the 1st respondent Sri A. K. Subbaiah, has filed a memo for retirement on the ground that despite issuing notice to the 1st respondent and the 1st respondent acknowledging the receipt of the said notice, no instruction has been given to him and hence he was not in a position to conduct the case and he may be permitted to retire from the case. He has also filed similar application in the connected case E P No.12/99.

2. In view of the submission made by the learned counsel and perusing the notice and the acknowledgement produced for having issued notice to the 1st respondent informing that he would retire from the case, Counsel appearing for the 1st respondent is permitted to retire from the case. The 1st Respondent is called out. He is absent and he is placed exparte.

3. Smt. Geetha, learned counsel appearing on behalf of the counsel appearing for the petitioner submits that the Election Petition may be dismissed as not pressed.

4. In view of the said submission, EP No.22/1999 is dismissed as not pressed.

By Order,

PR-111

TAPAS KUMAR

Secretary, Election Commission of India.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 122 ಕೇನಿಪ್ರ 2004, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 7ನೇ ಜುಲೈ 2004

2004ನೇ ಸಾಲಿನ ಮಾರ್ಚ್ 29 ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ವಾರದ ಗಜೆಟ್‌ನ ಸಂಚಿಕೆಯ ಭಾಗ-II ಸೆಕ್ಷನ್ 3(i) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ GSR 233 (E) (Notification No. F. No.19(4)/2004-L.1] ದಿನಾಂಕ: 29.3.2004 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

NOTIFICATION

New Delhi, the 29th March, 2004

G.S.R.233(E):- The following Order made by the President is published for general information

"C.O.202"

THE CONSTITUTION (DISTRIBUTION OF REVENUES) No. 4

ORDER, 2004

In exercise of the powers conferred by article 275 of the Constitution, the President, after having considered the recommendations of the Finance Commission, hereby makes the following Order, namely:-

1. This Order may be called the Constitution (Distribution of Revenues) No. 4 Order, 2004.

2. The General Clauses Act, 1897 (10 of 1897), shall apply for the interpretation of this Order as it applies for the interpretation of a Central Act.

3. (1) In accordance with the provisions of clause (1) of article 275, there shall be charged on the Consolidated Fund of India, in the financial year commencing on the 1st day of April, 2003, as grants-in-aid of the revenues of-

(a) each of the States specified in Column (1) of the Table below, the sums specified against it in column (2) of the said Table towards grants for Panchayat Raj Institutions:

TABLE

State	Rupees in lakhs
1	2
Andhra Pradesh	30409.66
Arunachal Pradesh	1670.55
Assam	4668.95
Bihar	10875.00
Chhattisgarh	2100.19

1	2
Haryana	2941.75
Himachal Pradesh	1313.38
Karnataka	11823.52
Kerala	6592.58
Madhya Pradesh	10109.00
Maharashtra	6567.28
Manipur	187.70
Meghalaya	768.24
Mizoram	157.11
Orissa	3455.88
Sikkim	158.77
Tamil Nadu	13983.54
Uttar Pradesh	23342.66
Uttaranchal	1520.00

Provided that the sums specified above shall be paid to the Panchayati Raj Institutions in the said financial year by a State Government and these sums shall be in addition to the sums flowing to the Panchayati Raj Institutions from the State Government:

Provided further that the sums specified above shall be expended by Panchayati Raj Institutions as per the recommendations of the Eleventh Finance Commission contained in Chapter VIII of its report and in accordance with the guidelines Issued by the Central Government for utilisation of the grants;

(b) each of the States specified in column (1) of the Table below, the sums specified against it in column (2) of the said Table towards grants for Urban Local Bodies;

TABLE

State	Rupees in lakhs
1	2
Andhra Pradesh	4939.71
Chhattisgarh	286.11
Haryana	732.80
Himachal Pradesh	77.84
Kerala	1504.91
Madhya Pradesh	3822.00
Mizoram	76.89
Orissa	1198.80
Rajasthan	1988.32
Sikkim	6.24
Tamil Nadu	3867.34
Tripura	120.48
Uttar Pradesh	4557.64
West Bengal	3949.78

Provided that the sums specified above shall be paid to the Urban Local Bodies in the said financial year by a State Government and these sums shall be in addition to the sums flowing to the Urban Local Bodies from the State Government:

Provided further that the sums specified above shall be expended by Urban Local Bodies in terms of the recommendations of the Eleventh Finance Commission as contained in Chapter VIII of its report and in accordance with the guidelines issued by the Central Government for utilisation of the grants.

Provided also that the unutilised grant for a particular year may be carried forward to next year and the grant which remain sunutilised will be credited to the Incentive Fund during 2004-05 from which fiscal performance based grants are to be released to all the States.

(2) Any Sum or sums payable under sub-paragraph (1) shall be in addition to any sum or sums payable to the States under each of the provisos to clause (1) of article 275.

[F.No.19(4)/2004-L.1]

T. K. VISWANATHAN, Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಕೆ. ನೀಲಕಂಠಚಾರ್

ಪಿ.ಆರ್.112 ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ (ಪ್ರಭಾರ),

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 124 ಕೇನಿಪ್ರ 2004, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 8ನೇ ಜುಲೈ 2004

2004ನೇ ಸಾಲಿನ ಮಾರ್ಚ್ 29 ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ವಾರದ ಗಜೆಟ್‌ನ ಸಂಚಿಕೆಯ ಭಾಗ-II ಸೆಕ್ಷನ್ 3(i) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ GSR 230 (E) (Notification No. F. No.19(1)/2004-L.1] ದಿನಾಂಕ: 29.3.2004 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

NOTIFICATION

New Delhi, the 29th March, 2004

G.S.R.230(E):- The following Order made by the President is published for general information

"C.O.199"

THE CONSTITUTION (DISTRIBUTION OF REVENUES)

ORDER, 2004

In exercise of the powers conferred by article 275 of the constitution, the President, after having considered the recommendations of the Finance Commission, hereby makes the following Order, namely:

1. This Order may be called the Constitution (Distribution of Revenues) Order, 2004.

2. The General Clauses Act, 1897 (10 of 1897), shall apply for the interpretation of this Order as it applies for the interpretation of a Central Act.

3. (1) In accordance with the provisions of clause (1) of article 275, there shall be charged on the Consolidated Fund of India, in the Financial year commencing on the 1st day of April, 2003, as grants-in-aid of the revenues of each of the States specified below, the sums specified against it as representing the contribution of the Central Government towards State Calamity Relief Funds for affording relief to the victims of cyclone, drought, earthquake, fire, flood and hailstorm in the States:

TABLE

State		Rupees in lakhs
1		2
1.	Andhra Pradesh	17196.00
2.	Arunachal Pradesh	1044.00
3.	Assam	4406.00
4.	Bihar	2907.00
5.	Chhattisgarh	1192.50
6.	Goa	159.50
7.	Gujarat	14013.00
8.	Haryana	7059.00
9.	Himachal Pradesh	3775.00
10.	Jammu and Kashmir	3030.00
11.	Jharkhand	7149.00
12.	Karnataka	6474.00
13.	Kerala	5838.00
14.	Madhya Pradesh	5439.00
15.	Maharashtra	17231.75
16.	Meghalaya	342.00
17.	Mizoram	252.00
18.	Nagaland	166.00
19.	Orissa	9504.00
20.	Punjab	10655.00
21.	Rajasthan	13479.00
22.	Sikkim	885.50
23.	Tamil Nadu	8911.00
24.	Uttar Pradesh	12700.00
25.	Uttaranchal	4148.00
26.	West Bengal	8778.00

Provided that the sums specified above shall be expended in the financial year commencing on the 1st day of April, 2003 on measures for affording relief in connection with natural calamities specified above.

Provided further that if the actual expenditure on relief measures as revealed in the accounts of this year is lower than the sums specified above, the balance shall remain available to the State Government as part of the Calamity Relief Fund of the State.

(2) Any sum or sums payable under sub-paragraph (1) to any State, in the financial year commencing on the 1st day of April, 2003 shall be in addition to the sum or sums payable to that State in the financial year in pursuance of sub-paragraph (1) of paragraph 3 of the Constitution (Distribution of Revenues) No. 6 Order, 2003.

A. P. J. ABDUL KALAM,
President.
[F.No.19(1)/2004-L.I]
T.K. VISWANATHAN, Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಕೆ. ನೀಲಕಂಠಚಾರ್

ಪಿ.ಆರ್.113

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ (ಪ್ರಭಾರ),
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 125 ಕೇನಿಪ್ರ 2004, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 9ನೇ ಜುಲೈ 2004

2004ನೇ ಸಾಲಿನ ಮೇ 25ರ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ವಾರದ ಗೆಜೆಟ್‌ನ ಸಂಚಿಕೆಯ ಭಾಗ-II ಸೆಕ್ಷನ್ 3(i) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ GSR 345(E) (Notification No. F. No.450/120/97-CUS-IV] ದಿನಾಂಕ: 17.5.2004 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

NOTIFICATION

New Delhi, the 17th May, 2004

No. 68/2004-CUSTOMS (N.T)

G.S.R.345(E):- In exercise of the powers conferred by section 157 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise and Customs hereby makes the following regulations further to amend the Courier Imports and Exports (Clearance) Regulations, 1998, namely:

1. (1) These regulations may be called the Courier Imports and Exports (Clearance) Amendment Regulations, 2004.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Courier Imports and Exports (Clearance) Regulations, 1998, in regulation 2, in sub-regulation (2), in clause (a), for the words "Trivandrum and land custom stations", the words "Trivandrum, Cochin and land custom stations" shall be substituted.

[F.No.450/120/97-CUS-IV]
D. S. GARBYAL, Under Secy.

Note: The principal notification No. 87/98- Customs (N.T.), dated the 9th November, 1998 was published in the Gazette of India Extraordinary, Part II, Section 3, Sub-section (i), dated the 9th November, 1998 vide Number G.S.R. 662(E), dated the 9th November, 1998 and last amended vide notification No. 95/2003-Customs (N.T.), dated the 6th November, 2003, published in the Gazette of India Extraordinary, Part II, Section 3, sub-section (i), dated the 6th November, 2003 vide Number G.S.R. 866 (E), dated the 6th November, 2003.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಕೆ. ನೀಲಕಂಠಚಾರ್

ಪಿ.ಆರ್.114

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ (ಪ್ರಭಾರ),
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 128 ಕೇನಿಪ್ರ 2004, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 16ನೇ ಜುಲೈ 2004

2004ನೇ ಸಾಲಿನ ಮೇ 26 ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ವಾರದ ಗಜೆಟ್‌ನ ಸಂಚಿಕೆಯ ಭಾಗ-II ಸೆಕ್ಷನ್ 3(ii) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ S.O. 631(E) (Notification No. F. No.468//7/2004-CUS-V] ದಿನಾಂಕ: 26.5.2004 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF FINANCE
(Department of Revenue)
(CENTRAL BOARD OF EXCISE AND CUSTOMS)
NOTIFICATION
New Delhi, the 26th May, 2004
No. 71/2004-(N.T.)-CUSTOMS

S.O.631(E):- In exercise of the powers conferred by Sub-Clause (i) of clause (a) of Sub-Section (3) of Section 14 of the Customs Act, 1962 (52 of 1962) and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 55/2004-(N.T)-Customs, dated the 27th April, 2004 (S.O.537(E), dated the 27th April, 2004], the Board hereby determines for the purposes of said section, relating to imported goods, that the rate of exchange of conversion of each of the foreign currency specified in column (2) of each of Schedule-I and Schedule-II appended hereto into Indian currency or vice versa shall, with effect from the 1st June, 2004, be the rate mentioned against it in the corresponding entry in column (3) thereof.

SCHEDULE-I

Sl. No.	Foreign Currency	Rate of exchange of one unit of foreign currency equivalent to Indian rupees
1	2	3
1.	Australian Dollar	31.85
2.	Canadian Dollar	33.15
3.	Danish Kroner	7.35
4.	EURO	54.70
5.	Hong Kong Dollar	5.85
6.	Norwegian Kroner	6.65
7.	Pound Sterling	81.55
8.	Swedish Kroner	6.00
9.	Swiss Franc	35.65
10.	Singapore Dollar	26.45
11.	US Dollar	45.45

SCHEDULE-II

Sl. No.	Foreign Currency	Rate of exchange of 100 units of foreign currency equivalent to Indian rupees
1.	Japanese Yen	40.25

[F.No.468/7/2004-CUS.-V]
N.J.KUMARESH, Under Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಕೆ. ನೀಲಕಂಠಚಾರ್

ಪಿ.ಆರ್.115

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ (ಪ್ರಭಾರ),
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 126 ಕೇನಿಪ್ರ 2004, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19ನೇ ಜುಲೈ 2004

2004ನೇ ಸಾಲಿನ ಮೇ 31 ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ವಾರದ ಗಜೆಟ್‌ನ ಸಂಚಿಕೆಯ ಭಾಗ-II ಸೆಕ್ಷನ್ 3(ii) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ S.O. 642(E) (Notification No. F. No.17-17/2003-SD-IV] ದಿನಾಂಕ: 31.5.2004 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF AGRICULTURE
(Department of Agriculture and Co-operation)
NOTIFICATION
New Delhi, the 31st May, 2004

S.O.642(E):- In exercise of the powers conferred by Section 5 of the Seeds Act, 1966 (54 of 1966), the Central Government, after consultation with the Central Seed Committee, being of the opinion

that it is necessary and expedient to regulate the quality of the seeds of the varieties specified in column (2) of the Table below of the kinds specified in corresponding entries in column (3) of the said Table, to be sold for the purposes of agriculture, hereby declares that the said varieties of seeds shall be the notified varieties for the whole of India, for the purposes of the said Act, for a period of fifteen years from the date of publication of this notification in the Official Gazette, namely:

TABLE

Sl.No.	Variety	Kind
1.	Swarna Mani (CHBR-1)	Brinjal
2.	VL Garlic-1 (VLG-7)	Garlic
3.	Brinjal Hybrid-2 (GBH-2)	Brinjal
4.	RM-50	Muskmelon
5.	Durgapura Lal (RW 177-3)	Watermelon
6.	Konkan Durangi	Amaranthus
7.	Pusa Ujwal (DAG-1)	Ash Gourd
8.	Pusa Shandar (DSM-1)	Snap Melon
9.	Pusa Sneha	Sponge Gourd
10.	Pusa Sharad (Se.-309-1-2)	Cauliflower
11.	Pusa Meghna (DC/98-2)	Cauliflower
12.	Pusa Saag-1 (MR-704)	Vegetable Mustard
13.	Utkal Jyoti (BB-13)	Brinjal
14.	Swarna Pratibha (CH-309)	Brinjal
15.	MHY-5	Musk melon
16.	Utkal Ava (BC-14-2)	Chilli
17.	Swarna Pooma (CH-20)	Cucumber
18.	Swaprna Baibhay (CHTH-1)	Tomato
19.	Sankranthi (TLB-11)	Tomato
20.	Nandi (TLB-130)	Tomato
21.	Vybhat (TLB-182)	Tomato
22.	HG-563	Guar
23.	Cose-95255 (Rachana)	Sugarcane
24.	Cose 96234 (Rashmi)	Sugarcane
25.	Cose 96434 (Jalpari)	Sugarcane
26.	D-994	Maize
27.	GPBD-4(Vikas)	Groundnut
28.	HHB-117	Pearl Millet
29.	JKMH-222	Maize
30.	Muktakeshi	Colocassia (Taro)
31.	RO-1 (Rajasthan Onion-1)	Onion
32.	GR-7	Paddy
33.	RCh-1	Chilli

[F.No.17-17/2003-SD-IV]
PREMNARAIN, Jt. Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಕೆ. ನೀಲಕಂಠಚಾರ್

ಪಿ.ಆರ್.116

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ (ಪ್ರಭಾರ),
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 127 ಕೇನಿಪ್ರ 2004, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19ನೇ ಜುಲೈ 2004

2004ನೇ ಸಾಲಿನ ಮೇ 26 ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ವಾರದ ಗಜೆಟ್‌ನ ಸಂಚಿಕೆಯ ಭಾಗ-II ಸೆಕ್ಷನ್ 3(ii) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ S.O. 632(E) (Notification No.F.No.468-7/2004-CUS-V] ದಿನಾಂಕ: 26.5.2004 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF FINANCE
(Department of Revenue)
(CENTRAL BOARD OF EXCISE AND CUSTOMS)
NOTIFICATION
New Delhi, the 26th May, 2004
No. 72/2004-(N.T.)-CUSTOMS

S.O.632(E):- In exercise of the powers conferred by Sub-clause (i) of clause (a) of Sub-section (3) of Section 14 of the Customs Act, 1962 (52 of 1962) and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 56/2004 (N.T.) Customs, dated the 27th April, 2004 [S.O.538(E), dated the 27th April, 2004], the Board hereby determines for the purposes of said section relating to export goods, that the rate of exchange of conversion of each of the foreign currency specified in column (2) of each of Schedule I and Schedule II appended hereto into Indian currency or vice versa shall, with effect from the 1st June, 2004, be the rate mentioned against it in the corresponding entry in column (3) thereof.

SCHEDULE-I

Sl.No.	Foreign Currency	Rate of exchange of one unit of foreign currency equivalent to Indian rupees
1	2	3
1.	Australian Dollar	31.50
2.	Canadian Dollar	32.85
3.	Danish Kroner	7.30
4.	EURO	54.15
5.	Hong Kong Dollar	5.80
6.	Norwegian Kroner	6.60
7.	Pound Sterling	80.80
8.	Swedish Kroner	5.95
9.	Swiss Franc	35.25
10.	Singapore Dollar	26.20
11.	US Dollar	45.10

SCHEDULE-II

Sl. No.	Foreign Currency	Rate of exchange of 100 units of foreign currency equivalent to Indian rupees
1.	Japanese Yen	39.85

[F.No.468/7/2004-CUS.-V]
N.J.KUMARESH, Under Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಕೆ. ನೀಲಕಂಠಚಾರ್

ಪಿ.ಆರ್.117

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ,
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ (ಪ್ರಭಾರ),
ಸಂಸಧೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 133 ಕೇನಿಪ್ರ 2004, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 17ನೇ ಜುಲೈ 2004

2004ನೇ ಸಾಲಿನ ಜೂನ್ 4 ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ವಾರದ ಗೆಜೆಟ್‌ನ ಸಂಚಿಕೆಯ ಭಾಗ-II ಸೆಕ್ಷನ್ 3(ii) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ S.O. 659(E) (Notification No.F.No.H-1024(2)/2004-Leg.II/I] ದಿನಾಂಕ: 4.6.2004 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE
(Legislative Department)
NOTIFICATION
New Delhi, the 4th June, 2004

S.O.659(E):- In pursuance of Section 12 of the Representation of the People Act, 1951 (43 of 1951), the President is pleased to call upon the elected members of the Legislative Assembly of each State Specified in column (2) of the Table below, to elect, in accordance with the provisions of the said Act and of the rules and orders made thereunder, the number of members specified against each State in column (3) of the said Table, for the purpose of filling the seat of members of the Council of States, whose

term of office has expired on the date mentioned in the corresponding entry in column (4) of the said Table, on the expiration or their term of office.

TABLE

Sl. No.	Name of the State	Number of seat to be filled	Date of retirement
1	2	3	4
1	Andhra Pradesh	6	2.4.2004
2.	Karnataka	4	2.4.2004

[F.No.H-11024(2)/2004-Leg-II/1]
T. K. VISWANATHAN, Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ಕೆ. ನೀಲಕಂಠಚಾರ್
ಪಿ.ಆರ್.118
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ (ಪ್ರಭಾರ),
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 132 ಕೇನಿಪ್ರ 2004, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 17ನೇ ಜುಲೈ 2004

2004ನೇ ಸಾಲಿನ ಜೂನ್ 1 ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ವಾರದ ಗೆಜೆಟ್‌ನ ಸಂಚಿಕೆಯ ಭಾಗ-II ಸೆಕ್ಷನ್ 3(i) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ S.O. 651(E) (Notification No.F.C.No.VIII/48/49/2004-CUS-TECH] ದಿನಾಂಕ: 27.4.2004 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF FINANCE
(Department of Revenue)
(OFFICE OF THE COMMISSIONER OF CUSTOMS)
NOTIFICATION
Bangalore, the 27th April, 2004
No. 1/2004 CUSTOMS (NT)

S.O.651(E):- In exercise of the powers conferred on me under Section 9 of the Customs Act, 1962 (52 of 1962) read with Notification No. 33/94-Cus. (N.T) dated 1.7.1994 of the Government of India, Ministry of Finance, Department of Revenue, New Delhi, I hereby declare "BEDRA BOMMANAHALLI VILLAGE", of Chitradurga District, in the State of Karnataka, to be a Warehousing Station under Section 9 of the Customs Act 1962 (52 of 1962) for the limited purpose of setting up of 100% Export Oriented Units approved by the Government of India, Ministry of Commerce and Industry, New Delhi.

[F.C. No. VIII/48/49/2004 CUS. TECH]
P.R. CHANDRASEKHARAN, Commissioner of Customs

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ಕೆ. ನೀಲಕಂಠಚಾರ್
ಪಿ.ಆರ್.119
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ (ಪ್ರಭಾರ),
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 131 ಕೇನಿಪ್ರ 2004, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 17ನೇ ಜುಲೈ 2004

2004ನೇ ಸಾಲಿನ ಜೂನ್ 1 ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ವಾರದ ಗೆಜೆಟ್‌ನ ಸಂಚಿಕೆಯ ಭಾಗ-II ಸೆಕ್ಷನ್ 3(ii) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ S.O. 672(E) (Notification No.F.No.23/18/2004-R&R] ದಿನಾಂಕ: 9.6.2004 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF POWER
ORDER
New Delhi, the 9th June, 2004

S.O.672(E):- Whereas the first proviso to sub-section (1) of Section 39 of the Electricity Act, 2003 (36 of 2003) (hereinafter referred to as the Act) provides that the State Transmission Utility shall not engage in the business of trading in electricity;

And whereas clause (b) of Section 172 of the Act provides that all licences, authorisations, approvals, clearances and permission granted under the provisions of the Indian Electricity Act, 1910, the Electricity (Supply) Act, 1948 and the Electricity Regulatory Commissions Act, 1998 (hereinafter referred

to as the repealed laws) may, for a period not exceeding one year from the appointed date or such earlier period, as may be notified by the Appropriate Government, continue to operate as if the repealed laws were in force;

And whereas under the repealed laws and consequent amendments effected through the enactments specified in the Schedule to the Act, the State Transmission Utilities have the authorization to engage in the activity of purchase and sale of electricity;

And whereas 10th June, 2003 being the appointed date for the Act, in terms of the provision of clause (b) of Section 172 of the Act, the authorizations of the State Transmission Utilities to engage in the activity of purchase and sale of electricity can continue to operate till 9th June, 2004 after which as per provision of first proviso to sub-section (1) of Section 39 of the Act, the State Transmission Utilities have to disengage themselves from trading in electricity, that is, from the activity of purchase and resale of electricity;

And whereas States of Orissa and Karnataka have expressed difficulties in giving effect to the provision contained in the first proviso to sub-section (1) of Section 39 of the Act by 9th June, 2004;

Now therefore, the Central Government, in exercise of the powers conferred by Section 183 of the Act hereby makes this order and authorises the State Transmission Utilities having authorization under the provisions of the repealed laws, to engage in the activity of bulk purchase and sale of electricity to distribution companies for a further period of one year on and from the 10th day of June, 2004.

[F.No.23/18/2004-R&R]

GIREESH B. PRADHAN, Jt. Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಕೆ. ನೀಲಕಂಠಚಾರ್

ಪಿ.ಆರ್.120

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ (ಪ್ರಭಾರ),
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 130 ಕೇನಿಪ್ರ 2004, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 17ನೇ ಜುಲೈ 2004

2004ನೇ ಸಾಲಿನ ಜೂನ್ 1 ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ವಾರದ ಗೆಜೆಟ್‌ನ ಸಂಚಿಕೆಯ ಭಾಗ-II ಸೆಕ್ಷನ್ 3(ii) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ S.O. 652(E) (Notification No.F.C.No.VIII/48/62/2004-CUS-TECH] ದಿನಾಂಕ: 11.5.2004 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF FINANCE

(Department of Revenue)

(OFFICE OF THE COMMISSIONER OF CUSTOMS)

NOTIFICATION

Bangalore, the 11th May, 2004

No. 2/2004-CUSTOMS(N.T)

S.O.652(E):- In exercise of the powers conferred on me under Section 9 of the Customs Act, 1962 (52 of 1962) read with Notification No. 33/94-Cus. (NT) dated 1.7.1994 of the Government of India, Ministry of Finance, Department of Revenue, New Delhi, I hereby declare "SONDANAHALLI VILLAGE" and "BULLENAHALLI VILLAGE", of Chikkanayakana Halli Taluk, Tumkur District, in the State of Karnataka, to be a Warehousing Stations under Section 9 of the Customs Act, 1962 (52 of 1962) for the limited purpose of setting up of 100% Export Oriented Units approved by the Government of India, Ministry of Commerce and Industry, New Delhi.

[F.C.No.VIII/48/62/2004-CUS.TECH]

P.R. CHANDRASEKHARAN, Commissioner

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಕೆ. ನೀಲಕಂಠಚಾರ್

ಪಿ.ಆರ್.121

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ (ಪ್ರಭಾರ),
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.